

DRAFT

**RESOLUTION NO. 2011-XX**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
FREMONT ADOPTING THE DISPOSAL FEES AT THE ALTAMONT  
DISPOSAL FACILITY COMMENCING ON JANUARY 1, 2011**

WHEREAS, the City has entered into an agreement with Waste Management of Alameda County, hereinafter referred to as "Contractor", to provide landfill Disposal services at the Altamont Landfill and Resource Recovery Facility, which is owned and operated by the Contractor, to receive Residue from the Fremont Transfer Station; and

WHEREAS, incorporated into the agreement is Exhibit 1, attached hereto and incorporated herein, establishing the negotiated fees between the City and the Contractor for disposal services; and

WHEREAS, the City of Fremont agreed to adjust the Disposal Fee biennially over the Base Term to reflect change in the Consumer Price Index or when necessary to adjust for changes in regulatory fees or other pass-through fees as referenced in Article 8 of the aforementioned contract; and

WHEREAS, the revised pass-through Alameda County Measure D Fee and Open Space Fee have been increased by \$.06 per ton, and \$.01 per ton respectively, and those revised fees shall be incorporated into this Exhibit 1; and

WHEREAS, the Alameda County Measure D Fee of \$8.23 per ton, and the Open Space Fee of \$1.62 per ton are reflected as regulatory fees included in this revised landfill disposal Exhibit 1; and

WHEREAS, the revised Disposal Fee will be in effect from January 1, 2011 to December 31, 2011.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF FREMONT  
RESOLVES AS FOLLOWS:

Adopt the attached fees shown in revised Exhibit 1 of the Altamont Landfill Agreement for disposal of Municipal Solid Waste between the City and Contractor.

ADOPTED \_\_\_\_\_, by the City Council of the City of Fremont by the following vote,  
to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
City Attorney

**EXHIBIT 1 REVISED  
DISPOSAL AND OTHER FEES**

Waste Management of Alameda County guarantees disposal fees for waste delivered to Altamont Landfill by the City of Fremont from January 1, 2011 through December 31, 2011. Fees will be adjusted biennially to reflect inflation according to the escalation methodology described in the long-term landfill disposal capacity agreement, as amended.

Disposal Fee Components	Per Ton Disposal Fees valid from January 1, 2011 to December 31, 2011			
	Fremont only	Fremont + Newark	Fremont + Union City	Fremont + Newark + Union City
Fixed component	\$2.25	\$2.22	\$2.22	\$2.18
Variable component	\$10.79	\$10.79	\$10.79	\$10.79
Pass-through component (list each pass-through cost separately):				
CA AB 939	\$1.40	\$1.40	\$1.40	\$1.40
Open Space	\$1.62	\$1.62	\$1.62	\$1.62
Measure D	\$8.23	\$8.23	\$8.23	\$8.23
Planning Fee	\$0.08	\$0.08	\$0.08	\$0.08
Business Tax	\$0.95	\$0.95	\$0.95	\$0.95
LEA Inspection Fee	\$0.38	\$0.38	\$0.38	\$0.38
AC HHW Fee	\$2.15	\$2.15	\$2.15	\$2.15
ACWMA Facility Operators Fee	\$4.34	\$4.34	\$4.34	\$4.34
Total pass-through component	\$19.15	\$19.15	\$19.15	\$19.15
Total Disposal Fee (Fixed + Variable + Pass-Through components)	\$32.19	\$32.16	\$32.16	\$32.12
Discount to disposal fee for materials used as alternative daily cover	80 % of total disposal fee			

Amount regarded as significant

\$16,863